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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

KODY BROWN, MERI BROWN,
JANELLE BROWN, CHRISTINE
BROWN, ROBYN SULLIVAN,

Plaintiffs,

vs.

GARY R. HERBERT, MARK
SHURTLEFF, JEFFREY R. BUHMAN,

Defendants,

DECLARATION OF AMANDA JEX

Case. No. 2:11CV00652

Honorable Clark Waddoups

I, Amanda Jex, do hereby declare as follows:

1. I am a resident of the State of Utah, over the age of majority and competent to make this declaration.

2. I am employed as a law clerk in the Office of the Utah Attorney General.

3. As a law clerk for the Attorney General's Office, I was assigned the task of researching prosecution of polygamists in Utah subsequent to their public appearances. My research entailed internet queries through Google.com, and Utah based news agencies such as: KSL.com, the Salt Lake Tribune, the Deseret News and The Spectrum. My research also included the February 2010 issue of National Geographic magazine, which featured as its cover article "Polygamy in America." I also research Court Xchange and a report from the Utah Administrative office of the Courts relative to charges filed in Utah in the last 10 years under Utah Code § 76-7-101.

4. The cover of the February 2010 issue of National Geographic portrays Joe Jessop, a resident of Hildale, Utah, with his five wives, 46 children and 239 grandchildren. The article concerns the lifestyle of numerous polygamists living in Utah and Arizona. A number of people are listed by name and are pictured in the article. Except for the children, they all claim to be practicing polygamists. The article also includes a picture of a meeting between representatives of the Utah Attorney General's Office and leaders of the Fundamentalist Church of Jesus Christ of Latter Day Saints (FLDS) in Hildale, Utah. (Attached hereto as Ex. A.)

5. There is no record that I can find, including a search of Court Xchange, of anyone appearing in the National Geographic magazine being prosecuted by the State of Utah for their practice of polygamy as a result of their appearance in the National Geographic magazine article.

6. On November 12, 2008 a court hearing was held in federal district courthouse in

Salt Lake City relating to the FLDS Church and the United Effort Plan (UEP) Trust. At the hearing “at least 300 men, women and children” from the FLDS Church “crowded into a federal courtroom and spilled into hallways...” Salt Lake Tribune, 11/13/08. (Attached hereto as Ex. B.)

7. I can find no record indicating that anyone was arrested for the practice of polygamy as a result of being in the courthouse or attending this hearing before Judge Benson.

8. Two days later, on November 14, 2008, a court hearing was held in St. George, Utah also relating to the FLDS Church and the UEP Trust. Approximately 2500 members of the FLDS Church gathered at the courthouse for that hearing. Salt Lake Tribune, 11/15/08. (Attached hereto as Ex. C.) The Spectrum newspaper in St. George reported on the gathering and included several photographs of members of the FLDS Church, including police officers monitoring the crowd. (Attached hereto as Ex. D.)

9. There is no record I can find indicating that anyone was prosecuted for the practice of polygamy as a result of their attendance at the district court in St. George for this hearing.

10. On or about February 12, 2009, approximately 100 polygamists from various sects meet at the Utah State Capitol to learn how to lobby the legislature. They also met with Utah Attorney General Mark Shurtleff. See “Utah polygamous groups learn to lobby lawmakers,” KSL.com. (Attached hereto as Ex. E.)

11. There is no record I can find indicating anyone was prosecuted for the practice of

polygamy as a result of attending this event at the Utah State Capitol.

12. On July 29, 2009, "...hundreds of Fundamentalist LDS church members gathered outside and jammed the inside of hallways..." of the Matheson Courthouse in Salt Lake City for another court hearing relating to the UEP Trust. Deseret News, 7/30/09 (Attached hereto as Ex. F.)

13. There is no record I can find indicating anyone was prosecuted for the practice of polygamy as a result of their attendance at the district court in Salt Lake City for that hearing.

14. On December 3, 2010 another hearing was held before Judge Dee Benson in the federal courthouse in Salt Lake City relative to the UEP Trust. Approximately 150 members of the FLDS Church were in attendance at this hearing. The hearing, but not the numbers attending, is reported in the Salt Lake Tribune, 12/4/08. (Attached hereto as Ex. G.)

15. There is no record I can find indicating that anyone was prosecuted for the practice of polygamy as a result of their attendance at the federal district court in Salt Lake City for that hearing.

16. At my request, on December 12, 2011, the Administrative Office of the Courts for the State of Utah provided the Utah Attorney General's Office with a list of cases filed under U.C.A. §76-7-101, Utah's criminal bigamy statute, in the past ten years. (Attached hereto as Ex. H.) Those charges are as follows:

- Thomas Arthur Green, filed 3/30/2001 Utah County. Charged with criminal non-support in addition to four counts of bigamy. See *State v. Green*, 99 P.3d 820

(Utah, 2004).

- Michael Watt filed 8/10/2001 in Utah County. Dismissed 2/13/2004.
- Rodney Hans Holm, filed 10/3/2002 in Washington County. Holm was charged with unlawful sexual conduct with a minor in addition to bigamy. See *State v. Holm*, 137 P.3d 736 (Utah, 2006).
- Gerald Paul Roskelley, filed 11/2/2006 in Box Elder County. Charged with forcible sex abuse and unlawful sexual conduct with a minor. See “Man Sentenced for Bigamy Denies Polygamous Relationship.” KSL.com. Available at: <http://www.ksl.com/?nid=148&sid=1499297>.
- Christian Ducrest, filed 7/20/2007 in Weber County. Attempted bigamy.
- Nichole Christine Greenlee, filed 9/2/2008 in Cache County. Greenlee perjured herself on a marriage certificate and married a second husband while still being lawfully another man. See Charles Geraci, “Utah’s Nichole Christine Greenlee Charged with Bigamy,” The Herald Journal, 9/12/2008.
http://fightbigamy.typepad.com/my_weblog/2008/09/index.html
- Steve Earl Malone, filed 2/13/2008 in Carbon County. Dismissed 10/16/2009.
- Mathew Kelly Wetherford, filed 2/5/2008 in Salt Lake County. Wetherford married another woman without divorcing his first wife and was charged with insurance fraud in addition to bigamy. See Pat Reavy, “Man with 2 Wives Faces Bigamy, Fraud Charges” The Deseret News. Available at:

<http://www.deseretnews.com/article/695255018/Man-with-2-wives-faces-bigamy-fraud-charges.html>

- Kevin Demar Baron, filed 8/20/2010 in Utah County. Dismissed 1/3/2011.
- Darin C. Galley, filed 9/21/2011 in Utah County. Charged with fraud in addition to bigamy. See <http://www.bustedmugshots.com/utah/provo/darin-c-galley/27521671>.

DATED this 15 day of December, 2011.


AMANDA JEX